



Vol. 22, No. 6

Citizen Potawatomi Nation

June 2000

Tribe opens newest enterprirse, FireLake Mini-Putt



Vice Chairman Linda Capps And Deputy Administrator Bob Trousdale Cut The Ribbon At FireLake Mini-Putt

The Citizen Potawatomi Nation held grand opening ceremonies for FireLake Mini-Putt July 6 at noon with a ribbon cutting ceremony and a round a mini-putt for all of the attendees. Refreshments included hot dogs, ice cream and pop, and KGFF provided a live remote broadcast from 4-6, giving away White Water, Frontier City and Six Flags passes.

Bits and pieces of a Putt-Putt course in Shawnee have been taken and turned into an exciting and fun opportunity for kids of all ages to enjoy. The cost of an 18-hole round is \$4 for adults and \$3 for children 12 and under. Group rates are available and discount tickets can be purchased. The hours of operation are Monday through Thursday noon to 10 p.m., Friday noon to 11p.m., Saturday 11 a.m. to 11 p.m. and Sunday noon to 9 p.m.

The Nation became interested in opening a miniature golf course when Link Cowen, owner of

Please turn to page 12

State agency to clean up tires on golf course

A recent order by a Bankruptcy Court in Oklahoma City may have resolved a man-made environmental nightmare at the FireLake Golf Course that began nearly two years ago with an effort to prevent natural erosion of a river bank.

Tribal attorney Michael Minnis said last week that the saga began when Environmental River Erosion Control (EREC) undertook a project to

prevent erosion of the North Canadian River under a "Work for Hire Agreement" dated Sept. 15, 1998. Under the agreement, EREC was to create a mat of waste tires on the banks of the river running through the golf course.

The EREC was to receive a total of \$143,000 in three payments, Minnis said. The Potawatomi made the initial payment of \$71,300, but made no further payments because EREC never completed the project. In addition to

the payment received from the tribe, EREC was also being paid by the Oklahoma Tax Commission (OTC) under a law providing financial incentives for companies to recycle waste tires. The payments were \$2.25 per tire with a rim diameter of 17.5 inches or greater and 45 cents for all other tires.

EREC brought thousands of tires to the site and tied some together, but "did not expeditiously pursue the project despite

repeated requests from the tribe," the attorney said. "The result was the creation of an unsightly mass of tires piled along the river bank. Some of the tires were falling into the river and otherwise creating an enormous environmental and aesthetic problem."

On August 2, 1999, EREC filed a Chapter 11 (reorganization) bankruptcy action in the federal bankruptcy court in Oklahoma City. During a Sept. 8 bankruptcy hearing, Keith Jones, an EREC

spokesman, testified that EREC was established as a corporation August 29, 1998, that EREC had completed only one-quarter of the Potawatomi project, and that bankruptcy was filed because the Oklahoma Department of Environmental Quality (DEQ) on March 15, 1999, told the OTC to stop paying EREC for the waste tires.

Please turn to page 12

TRIBAL TRACTS

Walking on

Gary Yott

Gary Yott, Shawnee, died Saturday, May 27, 2000 in Oklahoma City, Oklahoma. He was 30.

Mr. Yott was born June 22, 1969, in Shawnee, the son of Raymond and Barbara (Wall) Yott. He grew up in Macomb and graduated from Macomb High School in 1987. He attended Draughan Electronic School for two years. Yott worked for Seagate as an electronic technician. He was a member of Romulus Baptist Church.

He was preceded in death by his grandfathers, George Yott and Reece Wall. Survivors include his two daughters, Priscilla Marie Yott and Olivia Gail Yott, both of Macomb; father, Raymond Yott, Macomb; mother, Barbara Yott, Stigler; a sister, Christy Lynn Armstrong, Seminole; two grandmothers, Lenora Gill, Shawnee; Florence Yott, Asher; and many other relatives and friends.

Services were held at 3 p.m. Wednesday, May 31, 2000 at Cooper Funeral Home in Tecumseh with J. Clifton Briscoe of the Living Word Church in Shawnee, officiating. Assisting was Keith Thomas of the Church of God in Moore. Burial was at the Johnson Cemetery, under the direction of Cooper Funeral Home.

J. R. "Bud" Goodin

J. R. "Bud" Goodin, 80, passed away on May 14, 2000, at his home in Modesto, California, after a brief illness.

His grandmother, Elizabeth Phelps, and her two brothers, John and William received an original Potawatomi allot-



ment of several hundreds of acres of farm and timber land located one mile south of Little Axe. The property was considered to be a prime location because of the proximity of the Little River.

During the 1880s, Elizabeth married John H. "Jack" Goodin and they had one son, John William. We have not been able to document the exact date of Elizabeth's death, but it occurred near the time of the birth of her son John. Jack remarried twice and had two additional sons, Virgil and Harrison.

John William married Maggie Marie Wilson in 1912-13 and they had four children. "Bud" was born on April 23, 1920 and he was the youngest of three sons and one daughter. All of John and Maggie's children were born on the family farm. "Bud's" father, John William, was killed after stepping off a trolley in Shawnee in 1922. Shortly after the death of their father, the four children attended the Colony Indian School, near Weatherford, for several years. Eventually they came to live near the family farm with their aunt and uncle, Middy and Virgil Goodin, and their children. During the next several years, "Bud" and his brothers and sister attended Bennett Elementary School and Norman High School. "Bud's" mother, Maggie of Tecumseh, died in 1990 in a Shawnee rest home.

In December of 1938, Bud married Beulah Lucille Ball and they moved onto the family farm. Their three children, Edward "Herb", Johnnie Lucille, and Steven Bud were also born on the family farm. Herb and Johnnie attended Little Axe Elementary School and Noble Public Schools. "Bud" was a member of the Noble Masonic Lodge where he served in various capacities. Beulah was a housewife and worked for a number of years as the cook at Little Axe Elementary School. In 1956 the family moved to Redondo Beach, California, where "Bud" was employed with Hughes Aircraft as a dispatcher, truck driver, and chauffeur until his retire-

ment in 1989. Beulah worked in various capacities including a number of years with Douglas Aircraft before her death in 1980.

The highlight of his summers was his regular attendance at the Little Axe and Etowah reunions. During those visits he would renew friendships with his life-long acquaintances and always see people he hadn't seen in years. His trips back to Oklahoma, regardless of the reason, provided him with the emotional and spiritual energy to get him "through" another year. His visits always included a trip to the family farm. Even though his early years were very difficult, including the depression, he never complained about his life. One of his lifelong and dearest friends wrote in her sympathy card, "Our summers will never be the same without Bud and his great sense of humor." (and neither will ours!)

After "Bud" and his current wife both retired from Hughes Aircraft, they moved to Modesto, California, five and a half years ago.

He was also preceded in death by his two brothers, Thomas "Sam" and Virgil "Jack" Goodin.

Survivors include his current wife of 18 years, Bobby Goodin, and his sister Edith "Sis" Finney of Pearland, Texas. He is also survived by six grandchildren, Mark Goodin, Craig Goodin, Rhonda Alvarado, Sabrina Henley, Dena Preston, and Michele Rolles -all of California. He is also survived by 15 great-grandchildren and numerous family members and friends in Oklahoma and California.

Submitted by Edward H. Goodin (Tribal Member 12884)

Helen Louise Jones

Helen Louise Jones, born Nov. 19, 1923, died June 2, 2000. She was born in Oklahoma City, OK and was raised in the Catholic faith. As a young girl she attended the old Sacred Heart Mission school for several years, which is located a few miles west of Konawa, OK.

She retired from the Purdential Insurance Company in the 1960s and for several years she and her late husband Robert L. "Bob" Jones owned and operated the "Old Hiway 9 Tavern" located east of Norman, OK. When Bob passed away in 1990, she moved to Asher, OK and lived with her son James O. Cope. She was a life member of the Ladies Auxiliary at VFW Post 1317 in Shawnee.

She is survived by her son, James Cope of the home, a brother, Ernest L. Minton of New York City, and a great aunt and uncle, Carroll S. and Lula Bourbonnais of Modesto, CA.

Potawatomi Pride!

Who's Who

Tribal member Anthony D. Edwards has been honored by being included in the Who's Who Among American High School Students for 1999-2000.

Anthony is the son of Kay and Ozie Edwards of Oklahoma City. He is the grandson of Bill and Patricia Trousdale Tremain and the great-grandson of the late Earl and Agnes Trousdale.

Anthony will graduate from Midwest City High School in 2001. He is a member of the Drama Club and Stagecraft crew at the high school Performing Arts Center. He is also a member of "The Entertainers." He has been chosen to be the entertainment editor for the school newspaper, "The Bomber Beam" for his senior year. He is also a member of the Young Democrats. Anthony carries a 3.00 GPA.

Anthony plans on attending Rose State College after graduation.

Good Grades

Tribal member Stormee McKinney received trophies from Jefferson Elementary School for making the President's Honor Roll and for Perfect Attendance. The Kiwanis Club recognized her with the "Terrific Kid Award." Stormee was also awarded first place for a miscellaneous craft and second place for a drawing done for the Indian Education Department. She also received awards for "Outstanding Academics" and "Outstanding Attendance" from the Indian Education Department. Her mom and dad are very proud of her and her accomplishments.

Service Award

Tribal member Thomas Nickou of Browning received the Max Worthington Service Award at Montana State University's Day of Student Recognition April 30.

Nickou was a senior majoring in mechanical engineering at the time. He graduated with honors in May. While at MSU Nickou was involved with Tau Beta Pi, an engineering honor society, Pi Tau Sigma, a mechanical engineering honor society, and Mortar Board, a senior honor society. He received the Citizen Potawatomi Nation Scholarship and the Mechanical Engineering Department Scholarship.

Nickou also worked as a research assistant in the mechanical engineering department. He is the son of Deborah and Kerry Nickou. Nickou graduated from Browning High School in 1995. The Max Worthington Service Award is given to a senior man whose service to MSU has exemplified high scholarship, values and concern for others.

HOW·NI·KAN

PEOPLE OF THE FIRE

The HowNiKan is published by the Business Committee of the Citizen Potawatomi Nation with offices at 1601 Gordon Cooper Drive, Shawnee, Oklahoma 74801.

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All correspondence should be directed to HowNiKan, 1601 Gordon Cooper Drive, Shawnee, Ok. 74801. Address changes should be sent to Potawatomi Tribal Rolls, 1601 Gordon Cooper Drive, Shawnee, OK 74801.

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Toll-Free Number: 1-800-880-9880
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WELCOME, NEW CITIZEN POTAWATOMI NATION ENROLLEES!

The following Tribal members were enrolled by descendency:

Adkins, Daniel Riley
 Alvarado, Kelly Marie Portwood
 Anderson, Bryce Allen
 Anderson, Kathryn Leigh
 Anderson, Richard Wayne
 Armitage, Kellie Jewell
 Baizel, Kristafer Marvin
 Barnes, Jesse Alan
 Barnes, Katherine Aleen
 Bartley, Jerimie Shaun (Williams)
 Bickford, Brett Marshall
 Bogart, Bradley Garret
 Boothe, Kelsea Mae
 Bouska, Malia Lynn
 Bouska, Veronica May
 Breeding, Karson Payne
 Brown, Joshua Brittan
 Brown, Kayleb Daniel
 Burger, Devon Jay
 Burger, Michaela Marie
 Burks, Haley Joe
 Burks, Zachary Ryan
 Byrd, Christopher Jason
 Capps, Aaron Hunter
 Casagrande, Bailey Grey
 Cavazos, Christopher Ryan
 Cavazos, Kevin Ronald
 Chandler, Glen Patrick
 Churchill, Aubrey Eve
 Clark, Christpher Lee
 Clark, Julie Elizabeth
 Clark, Kathryn Ann
 Clark, Lee Andrew
 Collier, Caitlin Marie
 Collier, Jr. David Wayne
 Coots, Amanda Noel
 Criner, Kasey Nichole
 Cryer, Christopher Darrell
 Cryer, Elizabeth Anne
 Cryer, Michael Joseph
 Cunningham, Caleb Don
 Danz, Blake Michael
 Debevc, Kacie Jo
 Decker, Tricia Ann McCall
 Dees, Colten Nevada
 Denton, Melissa Anne
 DeWitt, Syllas Yi
 Dougan, Cameron Ray
 Dougan, Cody Lee
 Elliot, Stacy LeAnn
 Ferrari, Margaret Louise
 Goodrow, Zoe Kya Saffron
 Griffith, James Faulkner
 Griffith, Robert Steven
 Hamilton, Arianna Skye
 Hamilton, Breeanna Collynn
 Hamilton, Hunter William
 Hamilton, Lindsey Elizabeth
 Hamilton, Samuel A.
 Hammack, Alice Jane Hastings
 Hammack, Richard Edward Hastings
 Hargrove, Triston Lee
 Hess, Sheldon Adam
 Heyen, Jamie Lynn
 Holloway, Daniel Brian

Holloway, Terry William
 Huckabee, Joanna Lin
 Hughes, Curtis Tanner
 Ivy, Emily Joyce Muenchau
 Jackson, Brooke Marie
 Jackson, Krystil Leigh
 Jenkins, Smokee Christopher Allen
 Jolley, Stacy Lynette
 Jones, Robbin Dale
 Kaplan, Samuel David
 Krag, Kaitlin Rene
 LanCaster, Emilee Faith
 LanCaster, Katelyn Taylore
 Larman, Nickolas Shay
 Lawson, Nicole Elizabeth
 LeBlanc, Kathryn Marie Glasgow
 Lehman, Calvin Eugene
 Lehman, Eric Wayne
 Lehman, Kaylyn Marie
 Lightner, Merritt Ethelbert
 Lightner, Seora Lynn
 Liles, McKenzie Lynn
 Lingle, Victoria Karlene Mildred
 Loehr, Margaret Catherine
 Loehr, Patricia Ann
 Lyle, Andrew Grady
 MacCourt, Jeanine Marie
 MacCourt, Kenneth Eric
 MacCourt, Robert Kenneth
 Malloy, Carley Grace
 Marshall, William Steven
 Martin, Whitney Rosemary
 McAllister, Rachel Noel Sechrist
 McCabe, Jesse Merle
 McCall, Darrin Lee
 McDonald, Christin Michelle
 McDonald, Megan Rose
 McKee, Zoe Ann-Margaret
 McKnight, Danny Floyd Ray
 McMillan, Brandon Daniel
 McMillan, James Matthew
 McMillan, Rachel Mary
 McMillan, Rodney Brett
 Melot, Austin Lee
 Melot, Brandon Jacob
 Melot, Britany Amber
 Melot, Nathaniel Royce
 Melton, David Dale
 Milburn, Jr. Jerry Robert
 Millican, Trevor Joe
 Montgomery, Jakob Cole
 Montgomery, Julia Cari
 Moore, Blake Dillonger
 Moore, Cassie Nicole
 Morris, Matthew Brian
 Morris, Steven Ray
 Morris, Victoria Grace
 Mulanax, Jaycob Dalton
 Mulanax, Madison Sueann
 Ogee, Brent Edward
 Olsen, April Hannah
 Olsen, Diana Rose
 Olsen, Holly Margaret
 Olsen, Reed Elliot
 Palmer, Wyatt Joseph
 Parker, Joseph Christopher
 Pender, Kelsey Ann
 Pingleton, Malli Wilson

Place, Courtney Lynn
 Rafferty, Ryan Patrick
 Rawlins, Laurie Jean Connolly
 Rhodd, Melissa Dawn
 Riedlecker, Christina Nicole
 Roberts, Preston Matthew
 Roland, Tyler Joseph
 Rose, Darrin Eugene
 Sanders, Rachael Renee'
 Scarborough, Dorothy Guy
 Schultz, Bailey Reed
 Schutter, Candice Lynette
 Skelly, Samantha Ranee

Smith, Tristan Dean
 Spear, Jennifer Lynn
 Staff, Alyssa Maxine
 Stagner, Corban Taj
 Stagner, Tavan Cai
 Stangl, Elizabeth Michelle
 Stites, Megan Don
 Stocking, Shealynn Nicole
 Tascier, Chad Allen
 Tascier, Justin Avin
 Thompson, Jamie Leigh
 Thompson, Spencer Scott
 Threlkeld, Lane Tory

Tomlin, Blake Austin
 Tomlin, Derek Chase
 Tomlin, Dylan Ross
 Trout, Dakota Scott
 Upton, Alexander Wataru
 Veach, Andrew James
 Weaver, Blake Herman Keith
 Weaver, Gracie Jeane
 Wilson, Jackie Dawn
 Wisdom, Taylor Scott
 Wood, Winter Renee
 Yeager, Tiffany Lorraine

Young Potawatomis win track medals

Five thinclads from Riverside School, including Citizen Potawatomi brother and sister Michael and Jenni Conner, collected a total of 16 medals recently during the Gatewood Track Meet at El Reno, Oklahoma.

Michael Conner, 10, was the big winner, grabbing six medals in two different age groups. While competing in the 10-year-old division, he took gold in the 100-meter dash and shot put. He won silver in the softball throw. Conner then bumped up to the 12-year-old division where he won gold in the 200-meter dash. He took the silver in the 400-meter dash and in the shot put. Brandon Boone also competed in both divisions. He beat out Conner for the gold in the 10-year-old softball throw, but finished second to his teammate in shot put. In the 12-year-old division, Boone took the bronze in the shot



Michael & Jenni Conner With Medals

put and the 200-meter dash.

The Riverside girls brought home six medals. Kathleen Larocque took the silver in both the 10-year-old 100-meter dash and softball throw. Jenni Conner, 12, and Bridgette Allen

competed in the 12-year-old division. Conner won the silver in the 100- and 200-meter dashes. Allen received the bronze on the track in the 100-meter dash, while taking third in the softball throw.

Nadeaus celebrate golden anniversary

Joe and Loetta Nadeau observed their 50th wedding anniversary June 27. To commemorate the occasion, their children honored them with a reception from 2-4 p.m. Saturday, June 24, at Joe and Loetta's home in Earlsboro.

They were married June 27, 1950. Joe was born in Earlsboro in 1930 and Loetta was born in Maud in 1932 and both attended school at Harjo, where they met. They built their home, raised their children and continue to share their lives

together in Earlsboro.

They have four children, Leslie, Rex, Wayne and Sherri; eight grandchildren, Nathan, Carrie, Nicklas, David, Michael, Lakisha, Dylan and Ashley; one great-grandchild, Caley; and are expecting two more before this year's end. They have one daughter-in-law, Carmen, wife to Wayne. Five of their grandchildren are married, Nathan and Jennifer, Carrie and Jarrod, Nicklas and Jessica, David and Ashley, and Michael and Amber. All of their children and

grandchildren, except one grandson, live in Earlsboro. David, a U.S. Marine, lives in California with his wife but plans to return to Oklahoma in 2001.





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The Citizen Potawatomi Nation is divided into different "Regional Offices" to help cover the extended membership across the nation. Originally labeled merely by region names, regional boundaries were established in late 1997 using the US Postal Service "3 digit" Zip code areas. Region '0' is generally considered Oklahoma while the other states that are not numbered currently do not have an official "Region" designator.

REGIONAL REPORTS

North Texas

In our neck of the woods, we have had rain! It's wonderful except for those of you who had a little too much and had to deal with flooding. The weather service is still predicting another drought, but at least for June, we are not having one. The grass, trees and flowers are beautiful.

It's time for Festival and I am making plans to attend. Hope you are also and by the time you read this; it may be after the fact. We are looking forward to a great meeting with the opportunity to meet with the Business Council and learn what is going on within the tribe. I have heard from tribal members in this area of their plans to attend and taking members of the family who have not been there before.

The Native American seems to be a popular topic these days. I continue to read about our people in the newspaper, magazines and see specials on

TV. An acquaintance in my water aerobics class is going to the Four Corners Region with her church to help the Navajos. They are nice people and go somewhere each summer to lend a helping hand with repairs and whatever is needed. I have people call who are trying to find out more about their family, but since they are not Potawatomi I am not able to help much. If you are Potawatomi, our tribal rolls office can help. They had a lineage chart of my family when my sisters and I were being enrolled. I remember what a great feeling it was to me when I was enrolled. That card means a lot to me and I am also looking forward to getting a new one with my picture while I am in Shawnee. I hope all of you have been reading the HowNiKan how you can get an enrollment card with your picture even if you

are not going to Shawnee.

Summer was officially here on June 20, and I hope it is a fun and rewarding one for all of you. I've already had two grandchildren, Amanda and Michael, for a brief visit and Tom, Ben and John are over to see us quite often. And the great-granddaughter is one year old already. It's a fun time and even more fun than when I had to cope with seven children out of school. Now that is someone else's problem and I get to have the fun. As I said before, hope you are having some fun also.

You can enroll your children and grandchildren and if you need a form, give me a call and I will send it to you. Please call if you have other questions. It's always good to hear from you and if I don't know the answer to your question, I will certainly try to find out for you.

Marj Hobdy

Northwest

Bozho Nikon,

It is time for school to be out for the year. Many of our members are graduation from either grade school, high school or college. I am so proud of each of you and your accomplishment. Education is very important.

Long ago when I went to school, it was drilled into my head by my parents that getting an education and learning something would get me a good job, a job making better money than my parents were making at the time. Now in this new millenium that we are entering, I want to tell the kids that they have to get a good education and learn many different things so that they can be versatile enough to get a good job.

What I have seen in my own kids as well as others is that as they learn many things, they increase their independents from their parents. Knowledge and truth is the power of living in today's world. Yet, I see my kids growing apart from us. This increased distance, is it

the fault of education? Is it the fault of my kids? Is it my fault? I believe the answer is that there is no fault, except the sin of pride, and the sin of not letting go as a parent. They say the test scores in the schools are not as high as they should be. Why?

I believe that kids or parents or both discover distance happening in their life and begin to make decision to slow or stop the process from happening.

As an elder, I know who I am and where I am going. Yet, I also know home is still in my heart. I still have my people, my roots.

I have learned much in my life, and had many different jobs, yet, I still know that my ground is still the love of our creator, the love of my family, and the love of my people. This is what I want to teach my kids to love and learn all of the worlds that are near them and they will not be far from home.

Megwich,

Rocky Baptiste

DONATIONS TO THE HOWNIKAN

Lois I. Wood, Nevada - \$20

Joan R. Keith, Illinois - \$30

Vernice A. Slaven, California - \$25

Mr. & Mrs. Benton Burton, Colorado - \$10

Dorothy Hicks, Arizona - \$20

Merton & Frances Whitlow, Oklahoma - \$25

Gary Wade, Ohio - \$15



Citizen Potawatomi Nation Annual Reports

Editor's Note: The following annual reports were submitted too late for the last edition.

TRIBAL ATTORNEY

MICHAEL MINNIS & ASSOCIATES, P.C.

Earlier this year, the Potawatomi and the General Counsel's office fought for and won a long-sought victory in Oklahoma's appellate courts affirming basic principles of tribal sovereign immunity. This victory came only after the United States Supreme Court reversed Oklahoma's previous attempts to exercise jurisdiction over the Potawatomi based on an arbitration clause in a form contract. Oklahoma did not accept the U.S. Supreme Court's decision unquestioningly, however — a sign that the Potawatomi and all Indian nations must be ever vigilant in defending their sovereignty against state encroachment.

Also this past year, the General Counsel's office continued to work with the Potawatomi to resist federal agencies that threatened to ignore the historical and legal precedents entitling the Potawatomi to the exclusive use and benefit of their reservation area. The Hoary myth that the Absentee Shawnee Tribe shares the Potawatomi reservation boundaries has been legally exposed as a fraud, but some federal agencies continue to ignore the law.

The Potawatomi and the General Counsel's office have also entered new contract that reduced the cost to the Potawatomi, allowing the General Counsel's office to become more active and undertake a wider variety of projects.

SUPREME COURT OF OKLAHOMA

Under federal law, tribes have always enjoyed immunity from suit unless this immunity is voluntarily waived. However, beginning in 1995, the Oklahoma Supreme Court decided to regulate Indian commerce even though the United States Constitution has exclusively given this right to the federal government. The Oklahoma Supreme Court determined that Indian tribes do not have immunity from suit in Oklahoma courts. These holdings by the Oklahoma Supreme Court led to judgments against the Potawatomi in favor of a roofing contractor who never performed any services for the Potawatomi. These judgments were affirmed by the Oklahoma Court of Appeals and the Oklahoma Supreme Court.

On June 1, 1998, the United States Supreme Court upheld the principle of tribal sovereign immunity in *Kiowa Tribe of Oklahoma v. Manufacturing Technologies, Inc.*, 523 U.S. 751, 118 S.Ct. 1700, 140 L.Ed.2d 981 (1998). That same day, the Court issued a brief opinion vacating the Oklahoma state-court judgments against the Potawatomi with instructions to reconsider the decision in light of the *Kiowa* decision. The Court also entered an order

awarding certain costs to the Potawatomi to be paid by C&L. *Citizen Potawatomi Nation v. C&L Enterprises, Inc.*, No. 96-1721 (U.S. Sup. Ct.)

More than a year and a half later, on February 8, 2000, the Oklahoma Court of Civil Appeals, Division 2, reversed the judgment in favor of C&L and remanded the case to the district court with instructions to grant the motion to dismiss filed by the Potawatomi in August of 1995. *C&L Enterprises, Inc. v. Citizen Potawatomi Nation*, No. 86,568 (Okla. Civ. App.).

On February 28, C&L filed a petition for rehearing, and the Potawatomi filed a motion asking the court to direct C&L to reimburse the Potawatomi for certain appeal-related costs and to release a \$60,000 appellate bond the tribe had posted in September of 1996.

On March 27, the Court of Civil Appeals denied C&L's petition for rehearing and granted the Potawatomi motion to tax costs against C&L and release the appellate bond. C&L filed a petition for certiorari to the Oklahoma Supreme Court on April 17.

On May 24, a divided Oklahoma Supreme Court denied C&L's petition for certiorari. C&L has until approximately August 24 to appeal to the United States Supreme Court. On May 26, C&L asked the court to stay the effectiveness of mandate pending a petition to the United States Supreme Court.

The General Counsel's office will continue to work to have the appellate bond released and to collect costs from C&L.

As of June 24, 2000, this case will have been pending for 1782 days, or 4.88 years.

Federal Litigation

To protect Potawatomi interests from state-court litigation and judgments, the tribe sought an injunction from the federal district court. *Potawatomi v. Freeman*, Case No. CIV-95-1967-T (U.S.D.C. W.D. Okla. December 14, 1995). The suit was dismissed, and the Potawatomi appealed. On May 8, 1997, the Tenth Circuit Court of Appeals reversed the dismissal and directed the district court to decide whether a federal court is required to give deference to a state court judgment that infringes on tribal sovereignty. Although the issue has been fully briefed for almost three years, the district court has yet to rule. The court is monitoring the state court litigation, and the parties must file a status report every 90 days. As of June 24, this case will have been pending for 1653 days or 4.53 years.

SELF GOVERNANCE

(Administration of federal programs)

The General Counsel's office remains extremely active in assisting the Potawatomi in negotiations with the United States for funding to administer programs previously operated by the Bureau of Indian Affairs ("BIA") and the Indian Health Service ("IHS"). Although

the litigation reported in the 1999 Annual Report is ongoing, the BIA has adopted several Potawatomi arguments, giving the Potawatomi some of the relief sought in the lawsuit.

Under the Tribal Self-Governance Act of 1994 ("Act"), 25 U.S.C.A. § § 458aa-458hh, the United States allows Indian tribes to compact for the purpose of administering federal programs for Indians located in the tribes' service areas. The BIA Office of Self Governance ("OSG") is charged with fairly allocating funding appropriated under the Act. The OSG performs this task by compacting with participating tribes and thereafter negotiating each year an Annual Funding Agreement ("AFA") with each compacting tribe.

The service areas for tribes in Oklahoma are the tribes' former reservations (if they had one) as extended by near reservation designations or their trust lands. Federal programs for the Potawatomi are administered by the BIA Shawnee Agency whose jurisdictional area encompasses the former reservations of four tribes: the Citizen Potawatomi Nation, the Iowa Tribe of Oklahoma, the Kickapoo Tribe of Oklahoma, and the Sac & Fox Nation. The Shawnee Agency provides federal services to members of these four tribes ("indigenous" Indians) and to any other eligible Indian ("non-indigenous" Indians) residing on or near these four former reservations.

In allocating Self-Governance funding, the OSG must fairly distribute the appropriated funds so that the self-governing tribes can provide the federal services and activities to the Indian population (indigenous and non-indigenous) within their service areas and the BIA can retain enough funding to provide inherent federal functions and to provide federal services to Indians residing in the service areas of tribes who have not entered Self-Governance compacts. To allocate funding each year, the OSG relies on various formulas. For many of the programs in the Shawnee Agency, the formula is based on four factors: service area population, enrolled population, trust lands, and service area.

Early in 1998, as negotiations for the 1999 AFA were beginning, the OSG correctly stated that, consistent with the decision of the Tenth Circuit Court of Appeals in *Citizen Band Potawatomi Indian Tribe v. Collier*, 142 F.3d 1325 (10th Cir. 1998), cert. denied sub nom *Absentee Shawnee Tribe v. Citizen Band of Potawatomi Indian Tribe*, 525 U.S. 947 (1998), the service population area of the Absentee Shawnee Tribe of Oklahoma is "not co-extensive" with the boundaries of the Potawatomi Reservation and is instead limited to trust lands. As a result, tribal shares of tribes in the Shawnee Agency must be revised to reflect the decreased service population of the Absentee Shawnee Tribe of Oklahoma and the corresponding increased service

population of the Citizen Band Potawatomi Indian Tribe of Oklahoma." William A. Sinclair, OSG Director, 1/29/98 letter to John A. Barrett, Jr., Chairman.

Then, on July 2, two days after the deadline for signing an AFA, the OSG abruptly reversed itself, stating that "It is unclear the extent to which the [Collier] decision may impact service area determination in light of the fact that service area generally is not co-terminus with jurisdictional area." W.A. Sinclair, 7/2/98 letter to J.A. Barrett. Thus, the Potawatomi were directed "to negotiate an acceptable service area allocation" with the Absentee Shawnee. Until such an acceptable area allocation had been negotiated, "both the Citizen Potawatomi Nation's FY 1999 AFA and the Absentee Shawnee Tribe's CY 1999 AFA use existing service area populations." *Id.*

Nevertheless, the Potawatomi and the OSG signed a Self-Governance Compact and AFA for fiscal year 1999 on September 22, 1998. In footnotes to the AFA, the Potawatomi reserved the right to litigate several issues including service area population.

Federal Litigation

On September 23, 1998, the Potawatomi filed a complaint in the United States District Court for the Western District of Oklahoma and moved for a temporary injunction to mandate that the OSG amend the Potawatomi AFA for FY 1999 to conform to the law. *Citizen Potawatomi Nation v. Babbitt*, Case No. CIV-98-1324 A (U.S.D.C. W.D. Okla.). The Potawatomi alleged that the OSG had violated its ministerial duties to fairly allocate funding among Self-Governing tribes and had misconstrued applicable law. Specifically, the Potawatomi cited four controversies between them and the OSG:

(1) **Formula factors.** The OSG asserted that certain factors used in a funding formula for the Shawnee Agency tribes are static, *i.e.*, locked at data available in 1988 when the formula was adopted. Thus, 2000 funding would be distributed based on data about population, enrollment, and other factors that is more than ten years old. The Potawatomi believe the formula factors are dynamic, *i.e.*, should change as the data changes. The affect on funding caused by the OSG position is dramatic. Using 1991 funding and 1995 data, the BIA calculated that the Potawatomi share of Shawnee Agency funds would increase from 29 percent to 42 percent, or from \$417,300 to \$605,188. Under the most recent BIA population statistics (1997), the Potawatomi share would be at least 44 percent of the funding for the Shawnee Agency tribes.

(2) **Residuals.** The OSG funded certain line items for some tribes, but refused to fund the same items for the Potawatomi

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Citizen Potawatomi Nation Annual Reports

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claiming the funds are "residual," that is, needed to fund functions that may be performed only by the federal government. The Potawatomi believe that all tribes must share in the same line items.

(3) Service Population. The OSG believed the Potawatomi service area population is shared in common with the Absentee Shawnee. The Potawatomi believe their service area population is not shared, and that the Absentee Shawnee should be funded based only upon the number of Absentee Shawnee tribal members living on trust land. Regardless of how much funding is received, the Potawatomi are required to provide services to a member of any tribe who happens to be within the Potawatomi Reservation, but the Absentee Shawnee routinely turn away individuals who are not members of the Absentee Shawnee Tribe.

(4) "Moratorium" Clause. The appropriations bill for Fiscal Year 1999, passed in October, 1998, contained a clause to stop the OSG from entering compacts with any more tribes. The OSG argued that this clause gave it an excuse not to fully fund the Potawatomi under their 1999 AFA. The Potawatomi disagreed.

On January 15, 1999, the district court entered an order granting the OSG's motion to dismiss on the basis that "necessary and indispensable parties [other Shawnee Agency tribes] must be joined. However, these parties are tribal entities and have not waived their sovereign immunity."

On April 19, the Potawatomi filed their opening brief with the Tenth Circuit Court of Appeals seeking to have the district court's order reversed. *Citizen Potawatomi Nation v. Babbitt*, Case No. 99-6077 (10th Cir.). The Potawatomi argued that the district court erred in granting the motion to dismiss by acting prematurely in deciding the indispensability of non-parties prior to a full evidentiary record of the interests of the non-parties, and, in any event, wrongly determined that the non-party tribes were indispensable.

On March 9, the Tenth Circuit heard oral arguments on the appeal but as yet has not entered a decision.

As of June 24, 2000, this litigation will have been pending 639 days, or 1.74 years.

Further Negotiations

During the litigation, the Potawatomi and the BIA continued to work toward reaching a fair allocation of funding for Self-Governance operations. As a result, the BIA has subsequently agreed to resolve (at least in part) two of the issues.

(3) Service Population. The OSG now recognizes that the Potawatomi should be allocated funding for all eligible Indians within the former reservation boundaries except Absentee Shawnee living on trust lands. Unfortunately, the BIA has not properly adjusted funding to adequately re-

flect this new reality.

(4) "Moratorium" Clause. The BIA dropped its argument that the moratorium clause prevented them from funding the first Potawatomi AFA.

Nevertheless, so long as the United States continues to fight, the Potawatomi will be forced to fight as well.

HOUSING

The Potawatomi effort to require HUD to follow the law in allocating funding for federal housing programs to the Potawatomi and three other Shawnee Agency tribes is now pending before the United States Supreme Court on a petition for *certiorari*.

The Absentee Shawnee Housing Authority ("ASHA"), continues to receive funding from the Department of Housing and Urban Development ("HUD") disproportionate to its sponsor's status as a relatively small tribe with virtually no land base. For example, between 1994 and 1997, the ASHA received 64 percent (\$17.5 million) of the HUD funds disbursed to Shawnee Agency tribes though its sponsoring tribe has no former reservation and less than 10 percent of the enrolled population. By comparison, the Potawatomi, with 75 percent of the enrolled population and the largest former reservation within the Shawnee Agency received only 8 percent of HUD funding. With the tacit support of HUD, ASHA is constructing and operating low-income housing in other tribes' areas without tribal authorization in violation of federal and state law.

More than four years ago, the Potawatomi, the Sac & Fox Nation and the Kickapoo Tribe of Oklahoma ("Three Tribes") complained to HUD. Wayne Sims, administrator of the Southern Plains Office of Native American Programs (SPONAP), said HUD could not — or at least would not — do anything about the funding disparities and territorial encroachments.

Federal Court Litigation

On May 13, 1997, the Three Tribes brought suit for equitable relief against Sims, HUD and ASHA. *Sac & Fox Nation, et al., v. Andrew Cuomo, et al.*, Case No. CIV-97-791-M (U.S.D.C. W.D. Okla.). As of June 24, 2000, this case will have been pending for 1137 days or 3.11 years.

On July 7, 1997, without giving the Three Tribes an opportunity to present evidence and/or to respond to the Federal Defendants' arguments, the district court entered an order denying the Three Tribes' request for an injunction against the Federal Defendants, and on its own initiative entered a second order staying all proceedings, preventing the Potawatomi from litigating the case.

On July 15, 1997, the Three Tribes requested the trial judge to lift the stay order, or, alternatively, to lift the stay for the limited purpose of considering, among other things, a motion asking the judge to

step down from the case. On August 20, the district court lifted the stay solely to consider the motion for disqualification. On August 22, the Three Tribes filed a motion for disqualification arguing that the impartiality of the judge could be reasonably questioned because the judge, as the United States Attorney, was the counsel of record for Collier in *Potawatomi v. Collier*. The judge's impartiality might also be questioned by the bizarre management of the case that has benefited the Absentee Shawnee by preventing the Three Tribes from litigating their grievances and receiving relief. On September 19, the district court denied the Three Tribes' motion for disqualification.

On September 4, 1997, the Three Tribes appealed the July 7 order denying temporary injunctive relief. *Sac & Fox Nation, et al. v. Andrew Cuomo, et al.*, 97-6317 (10th Cir.). The Tenth Circuit issued an opinion on October 12, 1999, in favor of the Federal Defendants (see below). A subsequent petition for rehearing filed by the Three Tribes was denied December 9, or 882 days (2.25) after the appeal was filed.

On February 24, 1998, after several months with no action in the case and in accordance with court rules, the Three Tribes sent a letter to the district court giving notice that ASHA's motion to dismiss, filed June 4, 1997, had been submitted for decision for a period of more than ninety (90) days. When the district court did not take any action on the motion, the Three Tribes filed a petition for a writ of mandamus on March 17 asking the Tenth Circuit to direct the district court to: (1) lift the stay order, (2) remove the assigned judge, and (3) require the successor judge to rule on the outstanding motion to dismiss by a date certain. *Sac & Fox Nation, et al., v. Andrew Cuomo*, Case No. 98-6120 (10th Cir.). On March 24, 1998, two days before a response to the writ was due, the district court entered an order granting the ASHA's motion to dismiss. The appeal was dismissed on April 7, 1998. As of April 7, 1998, this was pending for 20 days.

On May 7, 1998, the Three Tribes appealed the dismissal. *Sac & Fox Nation, et al., v. Andrew Cuomo*, Case No. 98-6212 (10th Cir.). On May 13, the Tenth Circuit granted the Three Tribes' motion to consolidate this appeal with the appeal of an order denying a preliminary injunction. On March 9, 1999, the Tenth Circuit heard oral arguments on the consolidated appeals.

On October 12, 1999, the Tenth Circuit issued a decision in favor of the Federal Defendants. *Sac & Fox Nation of Oklahoma v. Cuomo*, 193 F.3d 162 (10th Cir. 1999). In response, the Three Tribes filed a petition for rehearing because, among other things, the Tenth Circuit decided the case in a manner inconsistent with existing case law. The petition for rehearing was de-

nied December 9, or 577 days (1.58 years) after the appeal was filed.

On March 8, 2000, the Three Tribes appealed to the United States Supreme Court. *Sac & Fox Nation of Oklahoma v. Cuomo*, Case No. 99-1486 (U.S. Sup. Ct.). As of June 24, 2000, this appeal will have been pending for 108 days.

UNITED URBAN INDIAN COUNCIL

In early 2000, the Potawatomi learned that the United Urban Indian Council had requested funding from the federal government to provide services to Native Americans living in the area served by the Citizen Potawatomi Nation. If successful, the UUIIC would have received funding that otherwise would have been allocated to the Potawatomi to serve its own tribal members, as well as members of other tribes who live in the Potawatomi service area. The Potawatomi challenged UUIIC's funding and convinced the Department of Labor to properly fund the Potawatomi for an area that now includes a large section of Oklahoma County. UUIIC has appealed the decision to an administrative judge.

OTHER FEDERAL FUNDING LITIGATION

Although not active in the litigation, the General Counsel's office is monitoring two national class-action lawsuits over Self-Governance funding against the BIA and the Indian Health Service (IHS). *Ramah Navajo Chapter v. Lujan*, Case No. 94-2253 (10th Cir.) and *Cherokee Nation, et al., v. Shalala*, Case No. CIV 99-92-S (E.D. Okla.).

A settlement has been reached in the *Ramah* case, and the General Counsel's office has worked with the Potawatomi to help the Nation claim its portion of a \$76 million judgment fund. The *Cherokee Nation* case, concerning IHS funding, is still in the relatively early stages.

ENVIRONMENTAL RIVER EROSION CONTROL

In September, 1998, the Potawatomi entered a contract with Environmental River Erosion Control ("EREC") under which EREC would install a "mattress" of used automobile tires along Squirrel Creek to control erosion. The Potawatomi were concerned about erosion along the bottom and both banks of the creek, which flows through the FireLake Golf Course. By the middle of 1999, when EREC abandoned the project, approximately 50,000 tires remained on the golf course.

EREC filed for bankruptcy on August 3, 1999. *In Re: Environmental River Erosion Control, Inc.*, Case No. 99-16927 BH. The Potawatomi have filed a claim with the Bankruptcy Court and is working with various state and federal agencies to have the tires removed.

NON-LITIGATION

In addition to the aforementioned lawsuits, the Potawatomi engaged in non-

(Continued, Next Page)



Citizen Potawatomi Nation Annual Reports

(Continued From Previous Page)

litigation activity requiring legal counsel.

• **Office of Self Governance Contract** — The Potawatomi will soon complete negotiations with the federal government for the third Potawatomi Annual Funding Agreement. As reported above, the Potawatomi and the General Counsel's office have persuaded the federal government to agree to various Potawatomi demands despite ongoing litigation.

• **Land Consolidation** — In 1999, Counsel assisted the Potawatomi in developing a land consolidation plan to help eliminate the problem of fractionalization of ownership in allotted lands and speed the process for taking land into trust. The plan was submitted to the Bureau of Indian Affairs for approval on April 15, 1999, but the Potawatomi have not yet been informed of a decision.

• **Acquisitions** — Counsel is assisting the tribe in placing recently acquired properties into trust so that they can be used for economic development.

• **Census Bureau** — In 1990, the Census Bureau began designating certain ar-

reas in Oklahoma as "Tribal Jurisdictional Statistical Areas." Generally, these areas follow the boundaries of the former Oklahoma Indian reservations. The area encompassed within the former Potawatomi Reservation, however, was erroneously labeled "Absentee Shawnee/Citizen Band Potawatomi TJSA." The Potawatomi have been working for almost two years to have the name changed to accurately reflect that the TJSA is for the Citizen Potawatomi Nation only. The Bureau has proposed changing the way areas are named and designated, but no final rules have yet been adopted. After the rules are adopted, the Potawatomi may still be forced to fight boundary issues. During their latest communications with the Bureau, maps of the Potawatomi area had not even been prepared. The Potawatomi are opposed to any proposal that allows the Absentee Shawnee to claim any area beyond trust or allotted lands. Although the Potawatomi wish to avoid another time-consuming court battle, litigation may be necessary to resolve this issue.

• **Economic Development** — The Gen-

eral Counsel's office assisted the Potawatomi in drafting contracts necessary for the construction of FireLake Discount Foods, which will open later this year.

NETWORKING/ TELECOMMUNICATIONS/ CPN-NET

JT Summerlin, Director

Year 2000 has brought a few surprises, a couple of fizzles and a lot of challenges for the Networking Department. Along with a change of leadership and new employees, the networking system has faced and overcome the Y2K dilemma, the Love-Bug, and Oklahoma's famed lightning storms. Aside from these natural and man-made situations, the ever-growing expansion of the enterprises and services has presented a continual challenge for the department.

The Networking Department is in process of designing/completing the Tribal ID Card system, computer system for the Clinic - Radiology, Web-page design and

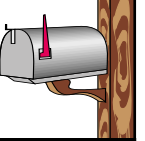
presence for each of the enterprises, FireLake Grocery on-line shopping, implementation of wireless access to the intranet and connection of building-to-building networks, update of the CPN-Net internet access system, and as always working with each department and enterprise to enable growth, communication and expansion.

HEALTH COMPLEX

The clinic has had a wonderful busy year. All of the departments in the clinic have an increase in patient activity despite the building and renovation going on around us. Of course the building and renovation has been slowed due to having to work around patient needs, but we have all survived and look forward to the completion of the clinic in late June.

We are very pleased that more Potawatomi members are utilizing the clinic for their health care also that we will be expanding the clinic with new laboratory, x-ray, dental and optometry departments for more complete health care coverage.

From Our Mailbox



Potawatomi Friends,

Thank you for the beautiful blanket you gave to me for traveling from Washington state to the recent council meeting.

I GWI YEN
Best to you,

Kate Reardon
Everette, WA



Dear Scholarship Committee:

I would like to thank all the people who work so hard to bring scholarship dollars to Potawatomi Nation students. As a recipient of the scholarship numerous times, I am very thankful. The scholarship and housing allowance helped greatly with the financial hardships of college. This past May, all of the hard work paid off and I graduated with a Bachelor's of Science in Mechanical Engineering from Montana State University in Bozeman. This coming fall I plan to attend the University of Central Florida in Orlando for a Master's Degree in engineering. Thank you again.

Thomas Nickou
Browning, Montana



Dear Ms. Farrell,

It appears that someone else in this area beside myself receives How-Ni-Kan. When I took my column to the Journal yesterday, one of the reporters asked me if I was really a member of the Potawatomi Nation. I intended to write you about the attribution that appeared in the March issue — which I received day before yesterday — that identifies Vic Johnson as a "tribal member," just then it became imperative. Maybe the misunderstanding came from the fact that I have subscribed to HowNiKan for a number of years.

I'm sure George Godfrey, Carroll Bourbonnais, Jerry Lewis and few other members of the Citizen Potawatomi Nation are scratching their heads.

Unless you know something that I don't, I regret to say it would appear my Swedish-Scots-Irish lineage excludes me from any claim to Native American heritage. Now, with my children it might be a different story, however remote. My wife's family on both sides — Dupuis and Bouchard — trace their ancestry back to the early days of French Canadian fur trade. My son's wives have undocumented traditions

of Potawatomi and Cherokee ancestors. One daughter has two children whose father's great-grandmother was Shawnee. But I don't think this is unique. Over the years, some people from this area who have read my columns have confidentially told me what they probably would not tell most people — that one or more of their ancestors was Native American.

I hold the greatest respect and empathy for Native American people. One of the reasons I have written so much about the history we share is that I hoped to inform non-Native American readers and give them a better understanding of problems we have failed to resolve.

Best regards,

Vic Johnson



A Very Special Thank You!

I would like to thank the Citizen Potawatomi Nation for helping with closing costs for the house my husband and I bought in April. Sherry Byers helped me to obtain the needed information and she was wonderful.

I have always been proud of my heritage. Every three years or so John and I are lucky to come to Oklahoma and visit family. And love to visit the gift shop, see the nice golf course and all the improvements. We purchased a book at a flea market, *Potawatomi* # (721) by Gerald L. Peltier, author, who was the chairman of the Citizen Band of Potawatomi Tribe in June of 1975. Does anybody have more information or knowledge? I cherish all I read about my birth right.

Thank you,

John & Mary Jane Van Duren
Mother: Lelola Parrish (Trousedale)

It's Your Newspaper!

The HowNiKan welcomes contributions from tribal members, especially stories of their accomplishments. Please send information and photographs to tribal headquarters. Deadline is the 5th of the month.



BUSINESS COMMITTEE MINUTES

CITIZEN POTAWATOMI NATION
SPECIAL BUSINESS
COMMITTEE MEETING
May 24, 2000

Present: Chairman John A. "Rocky" Barrett, Jr., Vice Chairman Linda Capps, Secretary/Treasurer Gene Bruno, Committeeman Hilton Melot, Deputy Administrator Bob Trousdale and Administrative Services Director Vickie Canfield.

Absent: Committeeman J. P. Motley

Guests: Shirl Eastep, HR Director

Call to Order: Chairman Barrett called the meeting to order at 5:30 p.m.

First item of business: A motion to approve the minutes of the previous meeting of May 17, 2000 was made by Hilton Melot. Motion seconded by Gene Bruno. Passed 4 voting for, 0 opposed, 1 absent, 0 abstentions.

Second item of business: There was a discussion regarding the purchase of two copy machines for the clinic, pending price quotes from the Purchasing Department. Motion to approve purchase was made by Hilton Melot and seconded by Linda Capps. Passed 4 voting for, 0 opposed, 1 absent, 0 abstentions.

Third item of business: Resolution 00-72 – A resolution assigning a blood degree to the descendants of Leo Bourassa CP 855. Motion to approve Resolution 00-72 was made by Gene Bruno and seconded by John Barrett. Passed 4 voting for, 0 opposed, 1 absent, 0 abstentions.

Fourth item of business: The Farm Business Plan was presented to the committee by Mike Matlock. Several options were presented and a committee decision will be forthcoming at the next scheduled meeting.

Fifth item of business: Shirl Eastep, HR Director, presented a report regarding the 401K Plan and how ERISA regulations impact the Citizen Potawatomi Nation plan due to the addition of the bank employees. The committee requested that Shirl obtain quotes from companies who provide a non-ERISA 401K Plan.

Sixth item of business: There being no further business before the Committee, motion to adjourn was made by Gene Bruno and seconded by Linda Capps. Meeting adjourned at 7:00 p.m.

Minutes approved by:

John A. Barrett, Jr., Chairman
Gene Bruno, Secretary/Treasurer

CITIZEN POTAWATOMI NATION
SPECIAL BUSINESS
COMMITTEE MEETING
May 31, 2000

Present: Chairman John A. "Rocky" Barrett, Jr., Vice Chairman Linda Capps, Committeeman Hilton Melot, Committeeman J. P. Motley, Deputy Administrator Bob Trousdale and Administrative Services Director Vickie Canfield.

Absent: Secretary/Treasurer Gene Bruno

Call to Order: Chairman Barrett called the meeting to order at 5:45 p.m.

First item of business: A motion to approve the minutes of the previous meeting of May 24, 2000 was made by J. P. Motley. Motion seconded by Linda Capps. Passed 4 voting for, 0 opposed, 1 absent, 0 abstentions.

Second item of business: There was a motion made by Linda Capps to purchase a tractor up to \$35,000; seconded by J. P. Motley. Passed 4 voting for, 0 opposed, 1 absent, 0 abstentions.

Third item of business: There being no further business before the Committee, motion to adjourn was made by Hilton Melot and seconded by Linda Capps. Meeting adjourned at 6:15 p.m.

Minutes approved by:

John A. Barrett, Jr., Chairman
Gene Bruno, Secretary/Treasurer

CITIZEN POTAWATOMI NATION
QUARTERLY BUSINESS COMMITTEE MEETING
June 7, 2000

Present: Chairman John A. "Rocky" Barrett, Jr., Vice Chairman Linda Capps, Secretary/Treasurer Gene Bruno, Committeeman J. P. Motley, Committeeman Hilton Melot, Deputy Administrator Bob Trousdale and Administrative Services Director Vickie Canfield.

Guests: Tribal Enrollment Director Mary Farrell, Farm Manager Candidate Denver

Holloway and his wife Martha, Police Chief David Kubiak, Officers Robert Davis, Mel Loyd, and Daniel Demik

Absent: None

Call to Order: Chairman Barrett called the meeting to order at 6:00 p.m.

First item of business: Minutes of the previous quarterly Business Committee meeting of February 23, 2000 were approved as read on a motion made by Gene Bruno and seconded by Linda Capps. Passed 5 voting for, 0 opposed, 0 absent, 0 abstentions.

Second item of business: Denver Holloway, Farm Manager candidate, presented a one-year Business Plan Projection and projected utilization of land regarding The Farm property. (Please see attached).

Third item of business: Resolution 00-73 – A resolution pertaining to enrollment into the Citizen Potawatomi Nation. Motion to approve Resolution 00-73 enrolling 8 applicants was made by Hilton Melot and seconded by John Barrett. Passed 5 voting for, 0 opposed, 0 absent, 0 abstentions.

Fourth item of business: Resolution 00-74 – A resolution pertaining to enrollment into the Citizen Potawatomi Nation by descendency. Motion to approve Resolution 00-74 enrolling 30 descendency applicants was made by Linda Capps and seconded by Gene Bruno. Passed 5 voting for, 0 opposed, 0 absent, 0 abstentions.

Fifth item of business: Resolution 00-75 – A resolution pertaining to enrollment into the Citizen Potawatomi Nation by descendency. Motion to approve Resolution 00-75 enrolling 30 descendency applicants was made by J. P. Motley and seconded by Hilton Melot. Passed 5 voting for, 0 opposed, 0 absent, 0 abstentions.

Sixth item of business: Resolution 00-76 – A resolution pertaining to enrollment into the Citizen Potawatomi Nation by descendency. Motion to approve Resolution 00-76 enrolling 30 descendency applicants was made by Hilton Melot and seconded by Linda Capps. Passed 5 voting for, 0 opposed, 0 absent, 0 abstentions.

Seventh item of business: Resolution 00-77 – A resolution pertaining to enrollment into the Citizen Potawatomi Nation by descendency. Motion to approve Resolution 00-77 enrolling 29 descendency applicants was made by Gene Bruno and seconded by J. P. Motley. Passed 5 voting for, 0 opposed, 0 absent, 0 abstentions.

Eighth item of business: Resolution 00-78 – A resolution pertaining to enrollment into the Citizen Potawatomi Nation by descendency. Motion to approve Resolution 00-78 enrolling 24 descendency applicants was made by J. P. Motley and seconded by John Barrett. Passed 5 voting for, 0 opposed, 0 absent, 0 abstentions.

Ninth item of business: Resolution 00-79 – A resolution pertaining to enrollment into the Citizen Potawatomi Nation by descendency. Motion to approve Resolution 00-79 enrolling 30 descendency applicants was made by Linda Capps and seconded by John Barrett. Passed 5 voting for, 0 opposed, 0 absent, 0 abstentions.

Tenth item of business: Resolution 00-80 – A resolution pertaining to relinquishment of Bobbie Herrod Herndon from the Citizen Potawatomi Nation. Motion to approve Resolution 00-80 was made by Hilton Melot and seconded by Gene Bruno. Passed 5 voting for, 0 opposed, 0 absent, 0 abstentions.

Business Committee recessed at 7:05 p.m.

Business Committee reconvened at 7:15 p.m.

Executive Session from 7:15 p.m. to 7:25 p.m.

Eleventh item of business: Motion to hire Denver Holloway for Farm Manager was made by Linda Capps and seconded by John Barrett. Passed 5 voting for, 0 opposed, 0 absent, 0 abstentions.

Twelfth item of business: There being no further business before the Committee, motion to adjourn was made by Hilton Melot and seconded by Linda Capps. Meeting adjourned at 7:35 p.m.

Minutes approved by:

John A. Barrett, Jr., Chairman
Gene Bruno, Secretary/Treasurer

CITIZEN POTAWATOMI NATION
SPECIAL BUSINESS COMMITTEE MEETING
June 21, 2000

Present: Chairman John A. "Rocky" Barrett, Jr., Vice Chairman Linda Capps, Secretary/Treasurer Gene Bruno, Committeeman J. P. Motley, Committeeman Hilton Melot, Deputy Administrator Bob Trousdale and Administrative Services Director Vickie Canfield.

Absent: None

Guests: Tribal Attorney Michael Minnis

Call to Order: Chairman Barrett called the meeting to order at 5:35 p.m.

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BUSINESS COMMITTEE MINUTES

Continued from previous page

First item of business: Minutes of the previous Business Committee meetings of May 31, 2000 were approved as read on a motion made by Linda Capps and seconded by J. P. Motley. Passed 5 voting for, 0 opposed, 0 absent, 0 abstentions.

Second item of business: Michael Minnis gave the committee a report outlining the Grievance Committee Procedures. He discussed the 2000 Elec-

tion Ordinance, stating it was valid for all purposes, except for Special Elections, provided there has been General Council concurrence.

Third item of business: Resolution 00-82 – A resolution supporting the Citizen Potawatomi Nation's application for funding under the U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, for a Tribal Youth Program Grant. Motion to approve Resolution 00-82 was

made by Gene Bruno and seconded by John Barrett. Passed 5 voting for, 0 opposed, 0 absent, 0 abstentions.

Fourth item of business: There being no further business before the Committee, motion to adjourn was made by Hilton Melot and seconded by J. P. Motley. Meeting adjourned at 6:30 p.m.

Minutes approved by:
John A. Barrett, Jr., Chairman
Gene Bruno,
Secretary / Treasurer

BUSINESS COMMITTEE RESOLUTIONS

5-24-00 to 6-21-00

<u>Date</u>	<u>Resolution</u>	<u>Title</u>	<u>Vote (for, opposed, absent, abstentions)</u>
5-24-00	00-72	A resolution assigning a blood degree to the descendants of Leo Bourassa, CP 855	4-1-0-1
6-7-00	00-73	A resolution pertaining to enrollment into the Citizen Potawatomi Nation (8 applicants)	5-0-0-0
6-7-00	00-74	A resolution pertaining to enrollment into the CPN by descendency (30 applicants)	5-0-0-0
6-7-00	00-75	A resolution pertaining to enrollment into the Citizen Potawatomi Nation by descendency (30 applicants)	5-0-0-0
6-7-00	00-76	A resolution pertaining to enrollment into the Citizen Potawatomi Nation by descendency (30 applicants)	5-0-0-0
6-7-00	00-77	A resolution pertaining to enrollment into the Citizen Potawatomi Nation by descendency (29 applicants)	5-0-0-0
6-7-00	00-78	A resolution pertaining to enrollment into the Citizen Potawatomi Nation by descendency (24 applicants)	5-0-0-0
6-7-00	00-79	A resolution pertaining to enrollment into the Citizen Potawatomi Nation by descendency (30 applicants)	5-0-0-0
6-7-00	00-80	A resolution pertaining to relinquishment of Bobbie Herrod Herndon from the Citizen Potawatomi Nation	5-0-0-0
6-14-00	0081	A resolution supporting the Citizen Potawatomi Nation's application for funding under the U.S. Department of Justice and Delinquency Prevention, for a Tribal Youth Program Grant (\$300,000)	5-0-0-0
6-21-00	00-82	A resolution supporting the Citizen Potawatomi Nation's application for funding under the U.S. Department of Justice and Delinquency Prevention, for a Tribal Youth Program Grant (\$500,000)	5-0-0-0

BIRTH ANNOUNCEMENT

Kylee Sue Mitchell was born in Shawnee, Oklahoma on May 2, 2000, to Amber Yones and Billy Jack Mitchell. Kylee weighed 9 pounds, 13.8 ounces. She is the granddaughter of Shelley and Ed Schneider of Shawnee and Billy



Jack and Lola Mitchell of Bethel. Great-grandparents include Belya Phillips of Shawnee, the late Gilbert Lawson, Billy R. and Millie Mitchell of Shawnee and Arline Schneider of Illinois. Great-great-grandparents include the late Earl Lawson and Agnes Lawson of Shawnee. Shelley Schneider is the director of the WIC program.

BOOK REVIEW

By Hyale Smitl
Tribal Rolls Assis



Title: Big Book of Indian Beadwork Designs
Author: Kay Doherty Bennett
Published by: Dover Publications Inc, Mineoloa, NY, 1999

Title: The Technique of North American Indian Beadwork
Author: Monte Smith
Published by: Eagle's View Publishing Company, Liberty UT, 1983

Both of these books are excellent resources for folks who enjoy doing beadwork and other Indian handcrafts.

They are quite different in their approach to presenting the material. Thus, they complement each other nicely.

Big Book of Indian Beadwork Designs is filled with designs. Most of them are charted, with color keys, ready for the beadworker to use. These charts also could be used in knitted, needlepoint, or crocheted projects. In addition the author has included free-form designs for embroidery, quilts, stained glass or leather projects.

Aside from a page of tips on how to finish off beadwork, there is no text. Thus it is a useful reference book, for both beginners and experienced crafts people. But if you are looking for more detailed instructions or for references to tribal origin of the designs, you may well be frustrated with its lack of information.

The Technique of North American Indian Beadwork, on the other hand, is more generous in giving detailed instructions, historical and cultural references, and pictures of finished items. Most of the photos are in black and white; only four color plates are included.

However, the reader is left to his own devices, as far as actually charting these designs.

But taken together, these two books can offer the artist both an excellent source of inspiration as well as detailed information on how to bring crafts projects to life

If you are interested in reading this book, you can check with your local library or bookstore. (The Tribal Library does not lend books; they are for on-site research only.)

FireLake Foods hosts benefit golf tourney

On June 26, 2000, FireLake Discount Foods hosted its first annual Golf Tournament at FireLake Golf Course. Of the 144 participants, vendors such as Keebler, Nabisco, Frito-Lay, Pepsi, Budweiser, Guys and Coca-Cola participated in raising money for Native American scholarships. The proceeds will be put into the current scholarship fund and awarded to eligible students.

The Nabisco team took first place, Brom's Brokerage took second and Advantage Sales took third. The top three winning teams were awarded gift certificates from the pro-shop at FireLake Golf Course. An employee of Bryson, Inc. won the set of Ping golf clubs that were given as a door prize.

"The business committee is excited about the opportunity that FireLake Discount Foods is providing for Native American students. We hope to benefit as many eligible candidates as possible," said Richard Driscoll, FireLake Discount Foods.

As the festivities of the golf tournament settled, it was back to work for the crews building FireLake Discount Foods. With the exterior block walls about 40% complete, FireLake Discount Foods is taking on yet another transformation — structural steel beams are being added over head, the slab and parking lot are being poured. Upon completion of the overhead work, the internal walls of the store will begin to



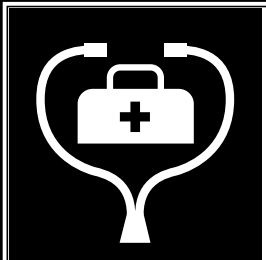
The Grocery Store Building Is Taking Shape Rapidly As Steel, Walls Go Up

go up. Once the internal work begins, refrigeration cases will be set and the décor will start to take shape.

Terry O'Rourke, director of FireLake

Discount Foods, says that due to the weather, the construction is approximately seven days behind schedule, but he anticipates being back on schedule by

working a few Saturdays. The expected date of completion for FireLake Discount Foods is still mid February of 2001.



HEALTH MATTERS

CITIZEN POTAWATOMI NATION HEALTH CLINIC

Bypass surgery decreases heart attack deaths in diabetics

Bypass surgery decreases heart attack deaths in diabetics

Bypass surgery can dramatically reduce diabetics' risk of dying from a subsequent heart attack, a study found. The study by researchers at the University of Pittsburgh looked at 641 diabetics and 2,962 non-diabetics who had been treated for reduced blood flow to the heart with either bypass surgery or balloon angioplasty.

About 5 percent in each group had a first heart attack within the succeeding five years. Among the diabetics, the differences in survival were dramatic: Only 17 percent of those who had undergone bypass

surgery died after a heart attack, compared with 80 percent of those who had received angioplasty.

Like previous studies, this study found that, among non-diabetics, bypass surgery was no more effective than angioplasty in preventing deaths.

Diabetics with heart disease usually have much more extensive clogging of the arteries than non-diabetics, so when they suffer heart attacks their oxygen-starved hearts have a much harder time recovering.

However, the study suggests the heart recovers from a heart attack just as quickly in diabetics who have undergone bypass surgery as in non-diabetics, because bypass surgery is

more effective long-term than angioplasty at maintaining healthy blood flow to the heart.

In bypass surgery, doctors cut away sections of badly damaged arteries leading to the heart, then graft pieces of healthy blood vessel — often from the patient's leg — in their place.

In balloon angioplasty, a tiny balloon is inflated inside a blood vessel to compress fatty buildup on the artery walls. Often, however, the procedure must be repeated because the arteries clog up again.

However, the researchers, led by Dr. Katherine Detre, noted that newer research shows that stents — mesh

tubes that are inserted during angioplasty — keep blood vessels open longer.

In an accompanying editorial, Dr. Steven Haffner of the University of Texas in San Antonio said stents could improve survival among diabetics who suffer heart attacks. Detre's group is planning a study that will test that theory.

In another study in the journal, Dutch researchers found that angioplasty did not work much better than drugs at controlling high blood pressure in patients with narrowing of the arteries that lead to the kidneys.



Tribal Wedding

Citizen Potawatomi Nation Judge Phil Lujan (center) performed a wedding ceremony June 16, 2000, for tribal member Timothy Joe Pettus (right), and Betty Faye Lee (left).



From The Chairman

By John A. "Rocky" Barrett

Bouzho Nicon (Hello, my friends),

I want to congratulate all of you who attended this year's Citizen Potawatomi Nation Heritage Festival. In all my years with the Citizen Potawatomi Nation, I cannot remember a more moving and joyful moment than the grand entry on Saturday night at the powwow dance. More than 350 Citizen Potawatomi entered the dance ring in honor of the reunion families. This is the most tribal members to ever dance at our powwow grounds, since the most Potawatomis that ever danced at the old inter-tribal powwow on Saturday night was under 50, after holding it for 27 years.

This is a great and wonderful event in our history. We are building our own traditions based on real Potawatomi historical tradition at last. Our tribe is a group of interrelated families that share a common government, language, art, history, and territory going back thousands of years. In the old days our dances were celebrations that were conducted by the heads of families. We celebrated the seasons, homecomings, births, namings, and victories. In all cases, the dancing was organized around family or clan affiliations.

That is what we are trying to emulate in the Saturday honor dances for the reunion families. Plus we are just dancing for the fun of it. We started the inter-tribal dance in 1971 because we did not have any dancers, drummers, or singers. After 27 years, we still didn't. I believe the reason was that the modern powwow is not our tradition. It has no historical significance for us as a tribe. We have a few who think modern powwow is somehow tradition, but they mostly want it to be a "I'm more Indian than you are" contest. We do not believe that way. If you are an enrolled member, you are just as much a Potawatomi Indian as any other enrolled member. Just because you don't dance at inter-tribal powwows doesn't make you less Potawatomi. Do not let anyone say otherwise. So, for the 3,000 or more Citizen Potawatomi who attended Festival this year, THANK YOU; SEE YOU NEXT YEAR!

This coming year is the election year for the office of Tribal Chairman. As most of you will recall, whenever I run for office there is never any shortage of fireworks. In years past, my opponents have run nasty articles and letters in *The Shawnee NewsStar*, sent out anonymous hate letters, started vicious rumors, published bogus tribal newspapers, and various other mud-slinging tactics. This year appears to be no exception, judging from the actions of a few at the General Council Meeting held in June. Same old folks with the same old gripes.

On a more serious note, we have a fundamental tribal government issue that is being tested in the Tribal Courts. I believe that the Tribal Constitution gives the office of the Chairman and the Vice Chairman the authority to supervise the business affairs of the Business Committee and the Council in Article 6, Section 2 of the Constitution. In short, the Chairman and the Vice Chairman are the tribal administration and the Business Committee is a legislative and policy body. The Business Committee disagrees. They believe that they hold all the authority under the Constitution to administer the affairs of the tribe. They passed a resolution asserting that control by saying I could no longer administer tribal business. I challenged that resolution in Tribal Court. The hearing is scheduled for August 18. The HowNiKan will report on the final decision of the Tribal Court.

The healthy thing about this whole process is that our tribe can use lawful means to settle such disagreements. There was a time when we had a violent take-over of the tribal offices in 1983. We had no laws, no tribal courts, and no separation of powers between our branches of government. All of you changed that when we adopted our new Constitution in 1984. This is the first exercise of the power of judicial review of an enactment of the Business Committee. I pray that all concerned will abide by the decision of the court. I pledge that I will. For all of you who have sent letters of support, I thank you with all my heart. I plan to seek re-election and promise to continue the policies and performance that have made our tribe the envy of Indian country. I plan to meet with you in as many places as I can to outline what I believe to be our most critical and important issue: a Constitutional Amendment that makes the Regional Councils part of our Constitution. The way things stand right now, the Business Committee can vote to do away with the Regional Councils. Your ability to meet face to face with your tribal leadership in Council will go away except for one meeting per year in Shawnee. I want the Constitution to go one step further. The Regional Councils and members in Oklahoma should be able to elect representatives to a new tribal legislative body that controls the budget and laws of the tribe separate from the elected executives. I will be presenting this idea for your discussion in at least 10 different places around the country.

Megwetch, Igwehyen,

John Barrett

DO YOU KNOW THIS FAMILY?

The Tribal Rolls office recently acquired genealogical records for the family of Mike Weaver.

None of the names listed in these documents can be found in the Citizen Potawatomi Nation tribal rolls records.

It is obvious that Mr. Weaver put a lot of time and effort into researching his family history. If any of our readers knows any of his relatives who would be interested in getting copies of this file, they may contact the Tribal Rolls office in Shawnee.

Mike Weaver, of Frankford, Missouri, was born June 12, 1927. His great great grandparents were George Campbell and Polly Benn. Other names mentioned are:

- Edward Howard (April 11, 1894 to June 8, 1984), discharged from the United States Military Service on March 25, 1919,
- Henry R Ashburn, given a land grant on May 15, 1862,
- John T. and Clarinda Hostetter, Enoch and Sarah Hostetter,
- Hiram and Nacy Vermillion Brown,
- Ida McNary,
- Joseph Schwend, and
- Alford Mefford.

Change of Address Form

This is my current mailing address!

Name: _____

(Include Maiden) (Please Print)

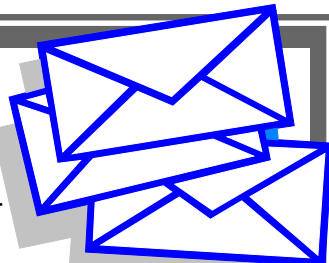
Address: _____

State: _____ Zip: _____

Birthdate: _____

Roll No: _____

Mail To: Mary Farrell, Tribal Rolls
Citizen Potawatomi Nation
1901 Gordon Cooper Drive
Shawnee, OK 74801



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Summer scholarship recipients listed

The following students received the Tribal Scholarship for the Summer semester:

Affentranger, Jenny L.

Allred, Deborah J.

Allred, Stacy D.

Anderson, Cynthia D.

Anderson, Whitney L.

Baitis, Heidi K.

Ballard, Lorie R.

Bates, Misty S.

Belshe, Chasity D.

Bledsoe, Shellie R.

Bourassa, Scherry L.

Brock, Virginia A.

Bussard, William G.

Childers, Colette J.

Dawson, Patricia J.

Deadwiley, Jessica R.

DeCoursey, Jr. Timothy P.

Deerinwater, Dawn M.

Diaz, Joanne M.

Erler, Jamie A.

Fleck, Koby S.

Gayer, Brian E.

Giboney, Dana E.

Glasgow, Andrew J.

Goldsmith, Darlene L.

Gross, Katherine J.

Hacker, Adrianna R.

Hale, Kari J.

Hale, Leah M.

Hanson, Sheri J.

Heckadon, Jennifer A.

Holbrook, Carol M.

Jinks, Allison M.

Kane, Traci J.

Kupiec, Sarah B.

Lantagne, Jessica M.

Lockwood, Darlene D.

Logsdon, Jarad M.

Nelson, Doneta D.

Osburn, Dawna M.

Pierce, Jeanne L.

Ramos, Tara R.

Rayburn, Lorrie A.

Robinson, Odessa A.

Sander, Sarah A.

Schoemann, Dana J.

Shelton, Jayme R.

Slavin, Thomas J.

Smith, Marc E.

Snyder, Lori A.

Swisher, Richard K.

Tasier, Mary E.

Tero, Sherri L.

Thompson, Czarina A.

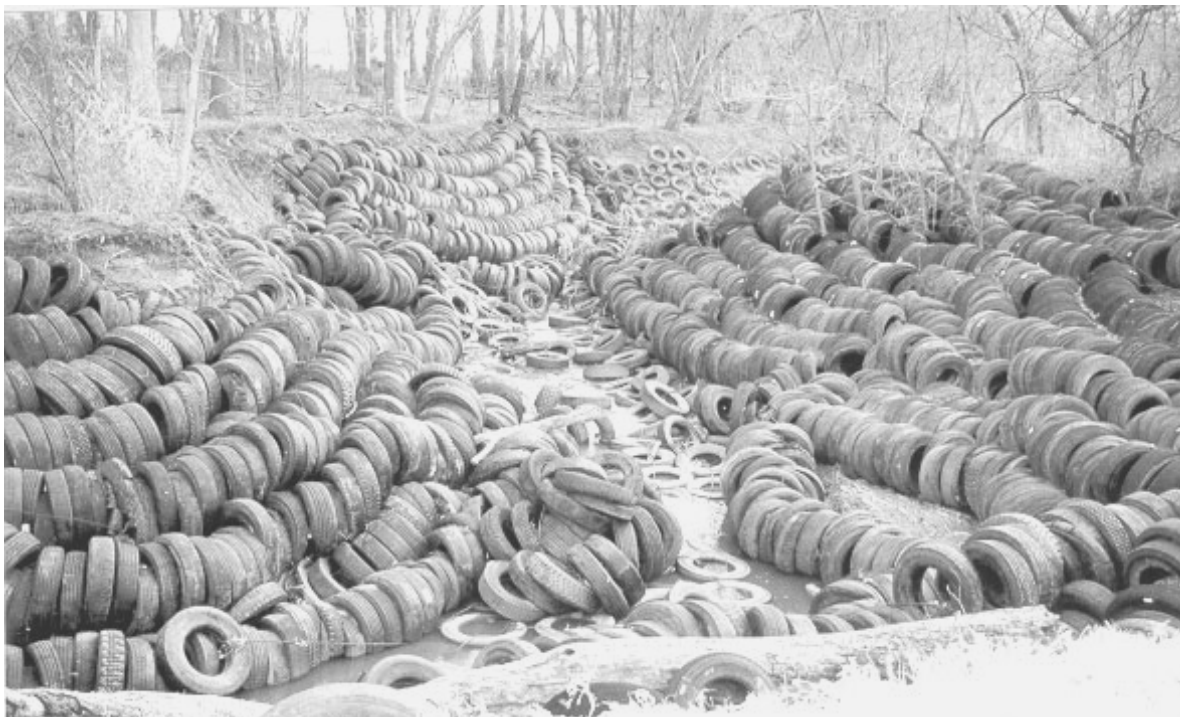
Torres, Diedre G.

Turner, Lori A.

Walker, Tyler S.

Williams, Melissa L.

Wright, Jeremiah J.



Abandoned Tires At FireLake Golf Course

Barrett gratified that state is assuming responsibility for cleanup of tires

Continued from page 1

The filing of the bankruptcy action stayed all Potawatomi efforts to get their money back or have the project completed, according to Minnis. On April 24, 2000, DEQ filed a motion to lift the stay and declare the waste tires abandoned at the six EREC project sites. This motion was granted in an order filed June 9.

DEQ is now hiring a contractor and establishing a priority list

for removal of the waste tires at the six sites, including those at the FireLake Golf Course. The bankruptcy action may preclude the Potawatomi from recovering any of their money paid to EREC, but the man-made environmental problem created by EREC may be alleviated by removal of the waste tires sometime this summer, thanks to the DEQ, Minnis said.

"I am gratified that the state of

Oklahoma is going to assume its legal responsibility in this sad affair," said Citizen Potawatomi Nation chairman John A. Barrett Jr. "Had this problem arisen out of lawful and legitimate behavior, the cost of removal would have had to been born by the Tribe. I hope those responsible are aware of the damage to the tribe's public image and the financial success of FireLake Golf Course."

Gift to tribe inspired miniature golf course

Continued from page 1

Cowen Realty, offered to give the Nation the materials from the original Putt-Putt on North Harrison, now the office of Cowen Realty. "This is a great example of what you can do with things that are given to you," said Vice Chairman Linda Capps. "Link Cowen was generous enough to give us the railing, lights and a few other items, and with some hard work, long days, and dedicated employees, this is what you get – a miniature golf course for the whole family to enjoy."

For more information about FireLake Mini-Putt, please call (405) 214-PUTT (7888).

HOUSING NEWS

DOWN PAYMENT/CLOSING COST ASSISTANCE GRANT

The Citizen Potawatomi Nation Housing Authority is pleased to announce that the income limitation for the Down Payment/Closing Cost assistance grant has been lifted, effective June 26, 2000. Also, there is a new form that must be completed by the closing agent or realtor and notarized, dealing with environmental issues, required by HUD.

Any Citizen Potawatomi Nation tribal member is eligible for this grant one time only, upon submitting the required paperwork. The requirements are as follows:

1. Must be purchasing, building, or refinancing a home, through a lending institution.

2. Must complete an application and submit a copy of tribal enroll-

ment card.

3. Must provide copies of official lending institution documents.

4. Must provide name of closing party and closing date (if applicable).

5. Must have environmental form signed and notarized.

Once a completed application is received, a check will be mailed approximately one to two weeks before your closing date.

EMERGENCY REHABILITATION LOAN

This loan program is for emergency rehabilitation, with a minimum loan amount of \$1,000.00 to a maximum of \$5,000.00. Any tribal member is eligible for this loan program, upon submitting the required paperwork and meeting the following requirements:

1. Membership in a Native American Tribe.

2. Up to 80% of National Median

Income Limits.

3. Title to the housing unit to be rehabilitated.

4. Three bids from contractors specifying work.

5. Recipients must execute a five-year payback agreement for the amount of rehabilitation cost. Insurance and interest costs are included in payback.

There are approximately 30 slots for this program and they are open to any Citizen Potawatomi Nation tribal member.

OTHER HOUSING PROGRAMS

The Citizen Potawatomi Nation Housing Authority still offers the 97% Loan Program, Acquisition Program, Rehab Program, and only has two openings for the HOME Program. If you are interested in any of these housing programs, contact the housing staff at (405) 878-4696.